

REGULAR MEETING OF THE COMMON COUNCIL (DECEMBER 1, 2009)
111 EAST JEFFERSON STREET, GOSHEN, INDIANA

The Common Council of the City of Goshen, Indiana, met in the Council Chambers for a regular session on December 1, 2009 at 7:00 P.M. Presiding Officer was Mayor Kauffman with members of the Council present as follows:

PRESENT: COUNCILMAN LANTZ, RIEGSECKER, STUMP, STUTSMAN
COUNCILWOMAN ROBINSON

ABSENT: COUNCILMAN THOMAS
COUNCILWOMAN GAUTSCHE

PRIVILEGE OF FLOOR

No items were presented under privilege of the floor.

ORDINANCE NUMBER 4568

Council President Stump introduced Ordinance Number 4568 entitled "AMEND 2009 SALARY ORDINANCE TO ESTABLISH AN INSPECTOR POSITION."

Council President Stump asked the Deputy Clerk-Treasurer to read the Ordinance by title only for its first reading and moved its passage. Motion seconded by Councilman Stutsman.

Administrative Utilities Engineer Dustin Sailor stated the Engineering Department had a position open up in October since then an internal decision was made that the focus needed to be placed more in the field rather than in the office therefore it was decided to hire an inspector rather than another engineer.

Glenn Null, 319 Dewey Ave, questioned how the City justifies 50% of the salary coming from water and sewer and further has the expense has already been built into the '09 and '10 budgets.

Mr. Sailor stated every project typically entails water, sewer and streets.

Mayor Kauffman stated the 50% is an estimate of how the employee's time is split. This is not adding a position but rather replacing an employee with a lower grade position so actually more than the cost of the requested position has been built into the budgets.

Councilman Riegsecker questioned if there is really that much new construction that the City needs another inspector. Mr. Sailor stated the position will take over mileage certifications, GASB 34 infrastructure accounting and the department is getting ready for the Rock Run sewer replacement project. The current inspector feels overburdened and the department has approximately 15 books of open projects that they are trying to close before winter is over.

By a 7-0 unanimous vote of the Council the motion passed.

Mayor Kauffman asked for unanimous Council consent to consider the Ordinance for passage during one meeting. As there were no objections, the Mayor declared that the Ordinance would be heard on second reading.

Council President Stump asked the Deputy Clerk-Treasurer to read the Ordinance by title only for second and final reading and moved its passage by roll call vote. Motion seconded by Councilman Stutsman.

The Council roll call vote was as follows:

AYES: LANTZ: RIEGSECKER: ROBINSON: STUMP: STUTSMAN

NAYS: NONE

(ORDINANCE NUMBER 4568 DULY PASSED AND ADOPTED THIS 1ST DAY OF DECEMBER 2009.)

ORDINANCE NUMBER 4569

Council President Stump introduced Ordinance Number 4569 entitled "AMEND 2010 SALARY ORDINANCE TO ESTABLISH AN INSPECTOR POSITION."

Council President Stump asked the Deputy Clerk-Treasurer to read the Ordinance by title only for its first reading and moved its passage. Motion seconded by Councilman Stutsman.

By a 5-0 vote of the Council the motion passed.

Mayor Kauffman asked for unanimous Council consent to consider the Ordinance for passage during one meeting. As there were no objections, the Mayor declared that the Ordinance would be heard on second reading.

Council President Stump asked the Deputy Clerk-Treasurer to read the Ordinance by title only for second and final reading and moved its passage by roll call vote. Motion seconded by Councilman Stutsman.

The Council roll call vote was as follows:

AYES: LANTZ: RIEGSECKER: ROBINSON: STUMP: STUTSMAN

NAYS: NONE

(ORDINANCE NUMBER 4569 DULY PASSED AND ADOPTED THIS 1ST DAY OF DECEMBER 2009.)

PUBLIC HEARING ON ORDINANCE NUMBER 4570

Mayor Kauffman opened the public hearing on Ordinance Number 4570 entitled “Additional Appropriation Ordinance.” Mayor Kauffman read the funds and the amounts included in the Ordinance.

Mayor Kauffman closed the public hearing as no person wished to speak.

ORDINANCE NUMBER 4570

Council President Stump introduced Ordinance Number 4570 entitled “ADDITIONAL APPROPRIATION ORDINANCE.”

Council President Stump asked the Deputy Clerk-Treasurer to read the Ordinance by title only for its first reading and moved its passage. Motion seconded by Councilwoman Robinson.

By a 5-0 vote of the Council the motion passed.

Mayor Kauffman asked for unanimous Council consent to consider the Ordinance for passage during one meeting. As there were no objections, the Mayor declared that the Ordinance would be heard on second reading.

Council President Stump asked the Deputy Clerk-Treasurer to read the Ordinance by title only for second and final reading and moved its passage by roll call vote. Motion seconded by Councilwoman Robinson.

The Council roll call vote was as follows:

AYES: LANTZ: RIEGSECKER: ROBINSON: STUMP: STUTSMAN

NAYS: NONE

(ORDINANCE NUMBER 4570 DULY PASSED AND ADOPTED THIS 1ST DAY OF DECEMBER 2009.)

RESOLUTION NUMBER 2009-50

Council President Stump introduced Resolution Number 2009-50 entitled “APPROVING AN INCREASE IN THE AMOUNT OF THE INDIANA FINANCE AUTHORITY BROWNFIELD LOAN.”

Council President Stump asked the Deputy Clerk-Treasurer to read the Resolution by title only and moved its passage by roll call vote. Motion seconded by Councilman Stutsman.

Community Development Director Mark Brinson stated the City received an offer from the State where they agree to reduce the interest rate on the sewer bond issue if the City agrees to use the savings to clean up brownfields in Goshen. That savings calculates out to a little over a million dollars and now the State has offered an additional \$500,000 at 0% interest if the City should need it as backup funding to drawdown in the future for these projects. The City has been

through extensive testing on several sites and has found expenses on many that may need the additional funding. Mayor Kauffman stated the Redevelopment Commission will reimburse the Utilities if any of the additional funding is spent.

By 5-0 vote of the Council, Resolution Number 2009-50 was passed.

RESOLUTION NUMBER 2009-51

Council President Stump introduced Resolution Number 2009-51 entitled “AN EMERGENCY RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS.”

Council President Stump asked the Deputy Clerk-Treasurer to read the Resolution by title only and moved its passage by roll call vote. Motion seconded by Councilman Riegsecker.

By 5-0 vote of the Council, Resolution Number 2009-51 was passed.

COUNCIL DISCUSSION ON FREQUENCY OF MEETINGS IN 2010

Council President Stump questioned if it is necessary to continue to have two Council meetings a month. The Council and Mayor discussed the following:

- It is more fair to the general public to have two chances a month to address the Council;
- It is not fair to the general public to make them stay at a meeting to 10:00 or 11:00 p.m. to wait for their issue to be discussed if the Council changes back to one meeting;
- It is more business friendly to have two meetings a month;
- Council President Stump stated every Council Member knows when the meetings are and a better attempt should be made to make sure every member attends every meeting.

Councilman Lantz moved to continue with two Council meetings a month. Motion seconded by Councilman Stutsman and motion passed unanimously.

Council discussion on receiving meeting packets earlier

Councilman Stutsman stated he would like to request that the Council receives their meeting packets earlier than the Friday before the meeting to allow for more time to get any questions answered and to allow more time for the public to know what items are on the agenda. Mayor Kauffman stated he discussed the issue with the Legal Department and Clerk-Treasurer Tina Bontrager and it appears by moving up the deadline to get items to Tina the packets should be able to be distributed earlier. In doing so, Mayor Kauffman stated there may be a few more occasions where an item has to be presented to the Council at the meeting. Council President Stump stated it is irritating to receive items at the beginning of the meeting and then be expected to vote on it by the end of the meeting. Further if it is between receiving the packet a few days earlier with items handed to him at the meeting he would rather receive the complete packet a few days later.

Council discussion on 2010 additional appropriation for Environmental Center cleanup

Mayor Kauffman explained when Brock went belly up the environmental center became a mess and the City has since hired Soil Solutions to assist with the cleanup. Mayor Kauffman stated the City would like to continue services with Soil Solutions in 2010 to continue to bring the

center up to IDEM standards. Because the 2010 contract amount of \$150,000 with Soil Solutions was not placed in the 2010 budget the Mayor would like to establish from the Council whether they would approve an additional appropriation in 2010 for the expense or if he needs to scrape up the funds from the 2009 budget and encumber them to 2010 for the expense.

Utilities Administrative Engineer Dustin Sailor stated the public outcry when the center was shut down for 3 or 4 weeks shows the center is a pretty vital service to the community. The current operator is cleaning out the stock piles that are years old and attempting to turn it into a sellable product.

The Council discussed how the employees at the center determine if the customer is a resident and the possibility of changing the current system for charging non-residents as it could be a landlord that owns a house in the City and the debris came from the City residence therefore they should not be charged a non-resident fee. A possible way to determine where the debris came from could be to show a utility bill or tax bill with the City address. The Council further discussed the costs and revenues involved with the center. Mayor Kauffman stated the City will have a better idea of the income and expenses generated from the center at the end of 2010. Mayor Kauffman determined the sentiment of the Council is that the Council will approve the appropriation in 2010.

Councilman Lantz moved to adjourn. Motion seconded by Councilman Stutsman and the meeting adjourned at 8:40 P.M.

APPROVED: _____
Mayor, Allan Kauffman
Goshen, Indiana

ATTEST: _____
Tina M. Bontrager
City Clerk-Treasurer